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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,232	07/05/2001	Erwan Launay	9320.127USWO	3294
23552	7590	02/07/2006	EXAMINER	
MERCHANT & GOULD PC			AHN, SAM K	
P.O. BOX 2903			ART UNIT	
MINNEAPOLIS, MN 55402-0903			PAPER NUMBER	
			2637	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/830,232

Applicant(s)

LAUNAY ET AL.

Examiner

Sam K. Ahn

Art Unit

2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-14 is/are rejected.
- 7) ☒ Claim(s) 15 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/27/05 has been entered.

Claim Objections

2. Claims 9-16 are objected to because of the following informalities:

In claim 9, line 6, "means for combination" should be "means for combining", line 10, "element, and" should be "element, wherein said device further comprising:", line 12, "combination" should be "combining" and line 16, "corresponding path confidence" should be "corresponding confidence".

In claim 10, line 7, "combination" should be "combining", line 9, "of said path" should be "of said corresponding", line 9, "values;" should be "values, and", line 10, "of said path" should be "of said corresponding", line 11, "elements, and" should be "elements, wherein said device further comprising:" and line 16, "the confidence" should be "the corresponding confidence".

In claim 12, line 5, "combination" should be "combining".

In claim 14, line 5, "combination" should be "combining".

In claim 15, line 1, "former" should "formed", line 4, "estimation of the transmission" should be "estimating of a transmission", line 6, "comprising" should be "said method comprising", line 7, "step delivering" should be "step of delivering", line 9, "said path confidence information" should be "said corresponding path confidence information element" and line 17, "decoding, supplied by said" should be "decoding said".

In claim 16, line 1, "former" should "formed", line 4, "estimation of the transmission" should be "estimating of a transmission", line 9, "said path confidence information" should be "said corresponding path confidence information element", line 14, "the confidence" should be "the corresponding confidence" and line 17, "decoding, supplied by said" should be "decoding said".

Claims 11 and 13 directly depend on claim 9 or 10. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. Claims 9-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 9, 10, 12 and 14 the word "means" is preceded by the word(s) "weighted-input decoding" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function.

Furthermore, regarding claims 9 and 10, the word "means" is preceded by the word(s) "estimation" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function.

However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967). Claims 11 and 13 directly depend on claim 9 or 10.

Allowable Subject Matter

4. Claims 9-14 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and claim objections, set forth in this Office action.
5. Claims 15 and 16 would be allowable if rewritten or amended to overcome the claim objections, set forth in this Office action.
6. The following is a statement of reasons for the indication of allowable subject matter:
Present application discloses method and apparatus of receiving a multi-carrier signal wherein the receiver comprises plurality of channel estimation an adaptor receiving the output of each channel estimation and a decoder coupled to the adaptor. Closest prior arts, Fukumasa and Khayrallah teach in the same field of endeavor, all the limitations claimed. However, prior art, solely or combination, do not teach the recited computation of said adapted estimated value and said adapted confidence information element.

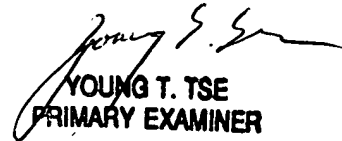
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Ahn whose telephone number is (571) 272-3044. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sam K. Ahn
2/3/06


YOUNG T. TSE
PRIMARY EXAMINER